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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

BILLY KIRBY,

Defendant.

2:21-CR-313-APG-BNW

Final Order of Forfeiture

12 The United States District Court for the District of Nevada entered a Preliminary
13 Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2); 18 U.S.C.
14 § 981(a)(1)(C) with 28 U.S.C. § 2461(c); and 18 U.S.C. § 982(a)(7) based upon the plea of
15 guilty by Billy Kirby to the criminal offense, forfeiting the property set forth in the Plea
16 Agreement and the Forfeiture Allegation of the Criminal Information and shown by the
17 United States to have the requisite nexus to the offense to which Billy Kirby pled guilty.
18 Criminal Information, ECF No. 6; Plea Agreement, ECF No. 10; Preliminary Order of
19 Forfeiture, ECF No. 12; and Arraignment & Plea, ECF No. 13.

20 This Court finds that on the government's motion, the Court may at any time enter
21 an order of forfeiture or amend an existing order of forfeiture to include subsequently
22 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
23 32.2(b)(2)(C).

24 This Court finds the United States published the notice of forfeiture in accordance
25 with the law via the official government internet forfeiture site, www.forfeiture.gov,
26 consecutively from January 15, 2022, through February 13, 2022, notifying all potential
27 third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF
28 No. 16-1, p. 5.

1 This Court finds the United States notified known third parties by regular mail and
2 certified mail return receipt requested of their right to petition the Court. Notice of Filing
3 Service of Process – Mailing, ECF No. 17.

4 On February 8, 2022, the United States Attorney's Office served Aaron D. Ford,
5 Nevada Attorney General, with copies of the Notice and the Preliminary Order of
6 Forfeiture as to Billy Kirby, through regular mail and certified mail return receipt requested.
7 Notice of Filing Service of Process – Mailing, ECF No. 17-1, p. 3-7, 12-18, 25.

8 On February 8, 2022, the United States Attorney's Office served Richard Whitley,
9 Director of Nevada Department of Health and Human Services, with copies of the Notice
10 and the Preliminary Order of Forfeiture as to Billy Kirby, through regular mail and certified
11 mail return receipt requested. Notice of Filing Service of Process – Mailing, ECF No. 17-1,
12 p. 3-7, 12-14, 19-21, 25.

13 On February 8, 2022, the United States Attorney's Office served Suzanne Bierman,
14 J.D., M.P.H., Administrator for Division of Health Care Financing and Policy, with copies
15 of the Notice and the Preliminary Order of Forfeiture as to Billy Kirby, through regular mail
16 and certified mail return receipt requested. Notice of Filing Service of Process – Mailing,
17 ECF No. 17-1, p. 3-7, 12-14, 22-25.

18 This Court finds no petition was filed herein by or on behalf of any person or entity
19 and the time for filing such petitions and claims has expired.

20 This Court finds no petitions are pending regarding the property named herein and
21 the time has expired for presenting such petitions.

22 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
23 all possessory rights, ownership rights, and all rights, titles, and interests in the property
24 hereinafter described are condemned, forfeited, and vested in the United States pursuant to
25 Fed. R. Crim. P. 32.2(b)(4)(A) and (b)(4)(B); Fed. R. Crim. P. 32.2(c)(2); 18 U.S.C.
26 § 981(a)(1)(C) with 28 U.S.C. § 2461(c); 18 U.S.C. § 982(a)(7); and 21 U.S.C. § 853(n)(7)
27 and shall be disposed of according to law:

28 1. \$499,440.70

1 (all of which constitutes property).

2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all
3 forfeited funds, including but not limited to, currency, currency equivalents, certificates of
4 deposit, as well as any income derived as a result of the government's management of any
5 property forfeited herein, and the proceeds from the sale of any forfeited property shall be
6 disposed of according to law.

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
8 copies of this Order to all counsel of record.

9 DATED April 20, 2022, 2022.

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13 ANDREW P. GORDON
14 UNITED STATES DISTRICT JUDGE
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